

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BRAD BRYNDAL,)
)
)
Plaintiff,)
)
)
v.) No. 09 C 3075
)
)
EXPERIAN INFORMATION SOLUTIONS,)
INC., et al.,)
)
)
Defendants.)

MEMORANDUM ORDER

Experian Information Solutions, Inc. ("Experian") has filed its Amended Answer to the Fair Credit Reporting Act Complaint filed against it and Equifax Information Services LLC by Brad Bryndal. This memorandum order is issued sua sponte to address some really disturbing aspects of that responsive pleading.

To begin with, Answer ¶¶11, 18 and 21 state that a document or a statute "speaks for itself." That is frankly astonishing, for in the course of striking Experian's original Answer via its July 1 memorandum opinion and order ("Opinion"), this Court had expressly criticized that practice and explained why it was unacceptable. Those paragraphs of the Answer are stricken without leave to replead, and the allegations in Complaint ¶¶11, 18 and 21 are deemed to have been admitted.¹

What has been said in n.1 applies with equal force to

¹ That appears to be a minimal--and quite appropriate--"sanction" for counsel's having totally ignored the unambiguous teaching of the Opinion.

Experian's current ADs 2 and 3, in light of the explanation in Opinion at 3. Hence those ADs are also stricken, again without leave to replead.



Milton I. Shadur
Senior United States District Judge

Date: July 20, 2009